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5 Attorneys for Plaintiff
 6 PATRICK CONNALLY, an individual

7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**

9
 10 PATRICK CONNALLY, an individual,) **CASE NO. CV-09-4192-SI**
 11 Plaintiff,)
 12 v.)
 13 HAN IL KWAN RESTAURANT, a.k.a.,) **STIPULATION RE CONTINUING
 WILLIAM and ANNETTE SCARABOSIO,) DEADLINE FOR THE PARTIES TO
 TRUSTEES of the SCARABOSIO) CONDUCT THE JOINT SITE
 FAMILY REVOCABLE TRUST dated) INSPECTION AND [PROPOSED] ORDER
 4/1/99,) THEREON
 16 Defendants.)
 17**

18 Plaintiff PATRICK CONNALLY and defendants WILLIAM and ANNETTE
 19 SCARABOSIO, TRUSTEES of the SCARABOSIO FAMILY REVOCABLE TRUST dated
 20 4/1/99, by and through their respective counsel, respectfully request and stipulate, as follows:

21 1. **Whereas**, defendants WILLIAM and ANNETTE SCARABOSIO, TRUSTEES of
 22 the SCARABOSIO FAMILY REVOCABLE TRUST dated 4/1/99 filed their answer to
 23 plaintiff's complaint on December 2, 2009;

24 2. **Whereas**, plaintiff PATRICK CONNALLY submitted his injunctive relief to
 25 defendants WILLIAM and ANNETTE SCARABOSIO, TRUSTEES of the SCARABOSIO
 26 FAMILY REVOCABLE TRUST dated 4/1/99 on December 4, 2009;

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STIPULATION RE CONTINUING DEADLINE FOR THE PARTIES TO CONDUCT THE JOINT SITE INSPECTION AND
 [PROPOSED] ORDER THEREON

CV-09-4192-SI

1 3. **Whereas**, counsel for defendants WILLIAM and ANNETTE SCARABOSIO,
 2 TRUSTEE of the SCARABOSIO FAMILY REVOCABLE TRUST dated 4/1/99, has indicated
 3 that his clients do not have any right to enter the subject restaurant to make repairs without the
 4 tenants' cooperation under the lease;

5 4. **Whereas**, defendants WILLIAM and ANNETTE SCARABOSIO, TRUSTEES
 6 of the SCARABOSIO FAMILY REVOCABLE TRUST dated 4/1/99 need to coordinate with
 7 their tenants at the subject restaurant, which is not a party in the above-mentioned caption matter;

8 5. **Whereas**, due to these circumstances the parties were unable to conduct the
 9 joint site inspection of the premises by December 21, 2009, as Ordered by General Order 56,
 10 ¶3,4;

11 6. **Whereas**, the parties are scheduled to conduct the joint site inspection of the
 12 subject premises on January 19, 2010; and

13 7. **Whereas**, the parties, hereto agree, stipulate and respectfully request that the
 14 last day for the parties and counsel to conduct the joint inspection of the premises be continued
 15 up to and including January 21, 2010.

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 17 Respectfully submitted,

18 Dated: December 29, 2009

THOMAS E. FRANKOVICH,

A PROFESSIONAL LAW CORPORATION

21 By: _____ /s/ _____

22 Thomas E. Frankovich

23 Attorneys for Plaintiff PATRICK CONNALLY, an
 individual

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1 Dated: January 11, 2010

ROGER L. MEREDITH,
ATTORNEYS AND COUNSELORS AT LAW

4 By: _____ /s/
5 Roger L. Meredith
6 Attorneys for Defendants WILLIAM and ANNETTE
7 SCARABOSIO, TRUSTEES of the SCARABOSIO
8 FAMILY REVOCABLE TRUST dated 4/1/99

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10 **ORDER**

11 **IT IS SO ORDERED** that the last day for the parties and counsel to conduct the joint
12 site inspection of the premises be continued up to and including January 21, 2010.

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14 Dated: _____, 2010


15 Honorable Susan Illston

16 United States District Judge
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